

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-12 are pending in this application. In the Office Action, the pending claims were rejected as follows: Claims 1-12 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,125,080 (Sonnenschein et al.) in view of U.S. Patent No. 5,929,777 (Reynolds) and further in view of U.S. Patent No. 5,950,127 (Nitta).

Claims 1 and 7 are the independent claims pending in this application. In the Office Action, the combination of Sonnenschein et al., Reynolds and Nitta was cited as allegedly disclosing each of the recitations of independent Claims 1 and 7. Claims 1 and 7 have been amended to further distinguish and clarify the invention as claimed.

Sonnenschein et al. discloses a method for addressing issues associated with attenuation of electromagnetic waves in water, to allow divers to communicate underwater even when out of a "line of sight". The underwater communication network system taught by Sonnenschein et al. includes a base station that is provided "with means for receiving a message from an underwater personal device or relay apparatus, and for transmitting the same to an out of water device." (Column 4, Lines 46-49.)

Reynolds discloses a radio activated personal infrared distress beacon which upon activation, emits "a coded-pulsed collimated infrared red beam that can be detected,

recognized and translated visually by a wearer of IR goggles or binoculars or electronically with a decoding device.” (Column 2, Lines 58-61). “The locating device is thus used by the searcher/rescuer to determine the location of the emergency beacon though detection and decoding of the beacon's infrared pulses.” (Column 6, Lines 49-52)

The infrared distress beacon of the PMRESA (Personal Message Receiving and Emergency Signaling Apparatus) can be activated by either a central base control (CBC) or a user. While Reynolds does disclose that the apparatus can communicate with the CBC and can send an acknowledgement of the receipt back to the CBC, nowhere in the sections cited by the Examiner or elsewhere does Reynolds teach or suggest that a transfer to an SOS mode is made when the apparatus cannot communicate via the CBC.

The Examiner states that Reynolds does not specifically teach “when the MTT cannot communication [sic] via the base station” (Office Action, Page 3, Paragraph 2). Nitta was cited as allegedly curing this defect.

Nitta discloses “*a mode switching method* for a mobile station, which is suitable for mobile communication in which *different service areas over-lap*” (Column 1, Lines 6-8), i.e., when there are *overlapping areas* of coverage provided by separate base stations. Nitta further discloses these *overlapping areas* in which it is desirable to employ “a mode switching method for a mobile station capable of restraining the increase in *traffic on the control channel by preventing flapping* when selecting modes.” (Column 4, Lines 7-11). The increase in traffic on the control channel requires the mobile station to remain in

communication with a base station using a control channel.

In contrast, the present invention as recited in Claims 1 and 7, as amended, changes modes when a “*user* requests emergency assistance and when the MTT is in a “No Service Area” and cannot communicate via the base station.” Because the MTT is in a “No Service Area”, there cannot be an increase in traffic on the control channel when switching modes because there is no control channel. Thus, Nitta teaches away from the present invention.

Moreover, Nitta teaches applying a “hysteresys to the timing of the actual mode switching by using a timer, in order to avoid mode switching in the distinct service area” (Column 8, Lines 18-23). This delays the mode switching so that the mobile station does not switch the communication mode to the satellite system immediately by setting the timer value to three minutes.

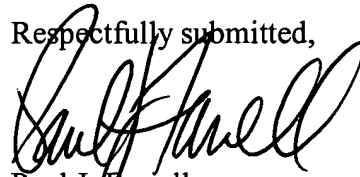
In contrast, the present invention as recited in Claim 1 is drawn to a device for transmitting SOS signals in a mobile communication terminal (MTT) and Claim 7 is drawn to a method for transmitting SOS signals in a mobile communication terminal. These SOS signals are emergency signals, and incorporating a delay as taught by Nitta, before transmitting emergency signals, would not be prudent. For example, as taught by Nitta, mode switching is delayed by three minutes. This three-minute delay before being able to transmit an emergency signal would not be acceptable in an emergency

transmission system. Accordingly, Nitta teaches away from the present invention as recited in Claims 1 and 7.

Accordingly, it is believed that independent Claims 1 and 7 are in condition for allowance. Without conceding the patentability *per se* of the dependent claims, Claims 2-6 and 8-12 are believed to be in condition for allowance for at least the above reasons. Accordingly, reconsideration and withdrawal of the rejections of Claims 1-12 is respectfully requested.

Applicants submit that pending Claims 1-12 are believed to be in condition for allowance. Allowance is respectfully requested. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



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